

MANDATE

United States Court of Appeals
FOR THE
SECOND CIRCUIT

S.D.N.Y.-N.Y.C.
11-md-2293 <<
Cote, J.

1:12-cv-03394-DLC

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 7th day of May, two thousand fourteen.

Present:

John M. Walker, Jr.,
Rosemary S. Pooler,
Richard C. Wesley,
Circuit Judges.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: October 3, 2014

The State of Arizona, *et al.*,

Plaintiffs-Appellees,

v.

13-4828

MacMillan, Inc., *et al.*,

Defendants-Appellees,

Simon & Schuster Digital Sales, Inc., *et al.*,

Defendants,

v.

Robert H. Kohn,

Objector-Appellant.

Plaintiffs-Appellees move to dismiss, for lack of standing, Objector-Appellant's appeal from the district court's order denying his motion to intervene under Rule 24 of the Federal Rules of Civil

Procedure and the settlement agreements entered on December 9, 2013. Upon due consideration, it is hereby ORDERED that the motion, construed as also requesting summary affirmance of the district court's order denying intervention, is GRANTED. Even assuming arguendo that Objector-Appellant has standing to appeal the denial of his motion to intervene, the district court did not abuse its discretion in denying intervention as Objector-Appellant did not satisfy the requirements of Federal Rule of Civil Procedure 24. *See H.L. Hayden Co. v. Siemens Med. Sys., Inc.*, 797 F.2d 85, 89 (2d Cir. 1986) (describing the intervention standards).

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk

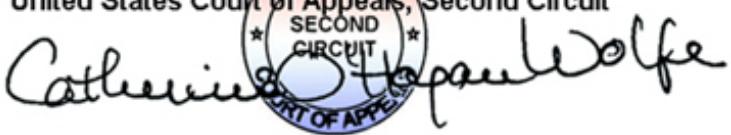


The image shows a handwritten signature of Catherine O'Hagan Wolfe in black ink. Above the signature is a circular official seal. The seal contains the text "UNITED STATES" at the top, "SECOND CIRCUIT" in the center, and "COURT OF APPEALS" at the bottom. The signature is written in a cursive script across the center of the seal.

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit



The image shows a handwritten signature of Catherine O'Hagan Wolfe in black ink. Below the signature is a circular official seal. The seal contains the text "UNITED STATES" at the top, "SECOND CIRCUIT" in the center, and "COURT OF APPEALS" at the bottom. The signature is written in a cursive script across the center of the seal.